

Practitioner's Docket No. : MPI99-283P1RCN1M

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**



NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Galvin, Katherine M., et al.

For: **METHODS AND COMPOSITIONS FOR THE DIAGNOSIS AND TREATMENT OF
CARDIOVASCULAR AND TUMORIGENIC DISEASE USING 4941**

1. Type of Application

This new application is for a(n)

- ☐ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☒ Continuation.
- ☐ Continuation-in-part (C-I-P).

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application
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37 C.F.R. SECTION 1.8(a)

- ☐ with sufficient postage as first class mail.

37 C.F.R. SECTION 1.10*

- ☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV400464628US

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Sean Hunziker/Carolyn Willey

(type or print name of person certifying)

Date: October 29, 2003

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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2. Benefit of Prior U.S. Application(s) (35 U.S.C. Sections 119(e), 120, or 121)

- ☒ The new application being transmitted is a continuation application of U.S. Application Serial No. 09/635,521, filed August 9, 2000, which claims the benefit of U.S. Provisional Application Serial No. 60/199,908 filed April 26, 2000.

3. Maintenance of Copendency of Prior Application

- A. ☒ Extension of time in prior application (filed on even date herewith by Express Mail: copy is included herewith)

- B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

- ☐ A conditional petition for extension of time is being filed in the pending **prior** application.
☐ A copy of the conditional petition filed in the prior application is attached.

4. Abandonment of Prior Application *(if applicable)*

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

Notification in Parent Application of This Filing

- ☐ A notification of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. Section 120.

5. Papers Enclosed

Required for Filing Date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application

92 Pages of Specification, including
83 Pages of Description
8 Pages of Claims
1 Page of Abstract

17 Sheets of Drawings (Figure(s) 1A, 1B, 1C, 1D, 1E, 1F, 2-6, 7A, 7B, 8A, 8B, 8C, 8D)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. Section 1.84(b).
☒ Formal
☐ Informal

6. Additional Papers Enclosed

- ☒ Copy of Information Disclosure Statement (37 C.F.R. Section 1.98) and copy of Form PTO-1449 (PTO/SB/08B) (4 pages) which was filed in the parent application U.S. Serial Number 09/635,521 on January 24, 2001. Copy of Supplemental Disclosure Statement (37 C.F.R. Section 1.98) and copy of Form PTO-1449 (PTO/SB/08B) (3 pages) which was filed in the parent application U.S. Serial Number 09/635,521 on August 6, 2002. The cited references were submitted to the Office in the prior application and, therefore, are not required to be provided in this application. However, the undersigned will provide additional copies upon request.
- ☒ 7 pages of paper copy of Sequence Listing (37 CFR Section 1.821-1.823), 4 pages of Submission of "Sequence Listing," and Diskette containing the Sequence Listing.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☒ Preliminary Amendment (6 pages)
- ☐ Other:

7. Declaration or Oath (including power of attorney)

- ☒ Executed Combined Declaration and Powers of Attorney were filed in parent application 09/635,521, copies of which are enclosed (10 pages).
- ☒ Copy of Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney and Change of Attorney Docket Number as filed in the parent application U.S. Serial Number 09/635,521 on September 5, 2003 (3 pages).

8. Assignment

- ☒ Copy of Assignment Transmittal Letter (1 page), copy of Assignment Recordation Form Cover Sheet (1 page) and copies of executed Assignments of the invention to Millennium Pharmaceuticals, Inc. which are filed concurrently in the parent application U.S. Serial Number 09/635,521 (4 pages).
- ☒ are enclosed.
- ☐ will follow.

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9. Fee Calculation (37 C.F.R. Section 1.16)

A. ☒ Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. Section 1.16(a) \$770.00
Total Claims (37 C.F.R. Section 1.16(c))	17	- 20 =	0	\$18.00	\$0.00
Independent Claims (37 C.F.R. Section 1.16(b))	3	- 3 =	0	\$86.00	\$0.00
Multiple Dependent Claim(s), if any (37 C.F.R. Section 1.16(d))	yes	\$290.00			\$290.00

Filing Fee Calculation \$1060.00

- ☐ Amendment canceling extra claims is enclosed.
- ☐ Amendment deleting multiple-dependencies is enclosed.
- ☐ Fee for extra claims is not being paid at this time.

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10. Method of Payment of Fees

- ☐ Check in the amount of \$_____.
- ☒ Charge Account No. 501668 in the amount of \$1060.00
A duplicate of this transmittal is attached.

11. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 501668.
- ☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☐ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).
- ☐ 37 C.F.R. Section 1.17 (application processing fees)
- ☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

12. Instructions as to Overpayment

- ☒ Credit Account No. 501668.
- ☐ Refund

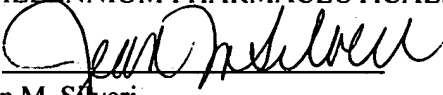
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13. Maintenance of Copendency of Prior Application

The parent application (U.S. Serial Number 09/635,521, filed August 9, 2000) of the present application is currently pending.

October 29, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By 
Jean M. Silveri
Attorney/Agent for Applicant
Registration No. 39,030
75 Sidney Street
Cambridge, MA 02139
Telephone - 617-679-7336
Facsimile - 617-551-8820

☒ **Statement Where No Further Pages Added**

☒ This transmittal ends with this page.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Katherine M. Galvin, et al.		
Application No.:	09/635,521	Art Unit:	1636
Filed:	August 9, 2000	Examiner:	Qian, Celine X.
For:	METHODS AND COMPOSITIONS FOR THE DIAGNOSIS AND TREATMENT OF CARDIOVASCULAR AND TUMORIGENIC DISEASE USING 4941		

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

CHANGE OF ATTORNEY DOCKET NUMBER

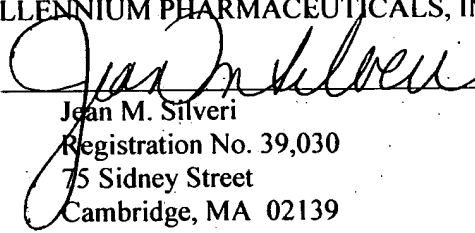
Dear Sir:

Please note that the Attorney Docket Number has been changed from MNI-094 to MPI99-283P1RM. Please reference MPI99-283P1RM on all future correspondence.

September 5, 2003

Respectfully submitted,
MILLENNIUM PHARMACEUTICALS, INC.

By


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Cambridge, MA 02139
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Diana Gentile
(type or print name of person certifying)

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